

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

COLONY INSURANCE COMPANY,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 3:07-CV-01044- TFM
)	
FLOYD'S PROFESSIONAL TREE)	
SERVICE, DUSTIN A. FLOYD, and JUNE C.)	
BRAND,)	
)	
Defendants.)	

REPORT OF PARTIES' PLANNING MEETING

1. Appearances:

Pursuant to Fed. R. Civ. P. 26 (f), a meeting was held on August 11, 2008,
and was attended by:

a. Appearing on behalf of Plaintiff:

Phillip E. Adams
Blake L. Oliver
ADAMS, UMBACH, DAVIDSON & WHITE, LLP
P.O. 2069
Opelika, AL 36803-2069
(334) 745-6466

b. Appearing on behalf of Defendant Floyd's Professional Tree
Service:

Donald R. Harrison
125 W. Columbus St.
Dadeville , AL 36853-1308
(256) 825-7393

- c. Appearing on behalf of Defendant June C. Brand:

B. Derrick Blythe
126 Marshall St.
Alexander City , AL 35010-0000
(256) 234-4101

2. Pre-Trial Disclosures.

The parties will exchange by August 25, 2008, the information required by Fed. R. Civ. P. 26(a)(1).

3. Discovery Plan.

The Parties jointly propose to the Court the following discovery plan:

- a. Discovery will be needed on the following subjects: All matters, not privileged, addressed in the parties' pleadings, including the Plaintiff's allegations and the Defendants' defenses..

- c. All discovery commenced in time to be completed by March 6, 2009.

- d. Maximum of 50 interrogatories by each party to another party.

Responses due 30 days after service.

- e. Maximum of 30 requests for admission by each party to any other party. Responses due 30 days after service.

- f. Maximum of 50 requests for production of documents. Responses due 30 days after service.

- g. Each deposition, other than of experts, limited to maximum of six

(6) hours unless extended by agreement of parties, eight (8) hours for experts.

h. Reports from retained experts under Rule 26(a)(2) due:

(i) From Plaintiff by January 22, 2008.

(ii) From Defendants by January 22, 2008.

i. Supplementations under Rule 26 are due 30 days before the close of discovery or as soon as reasonably practical after the information or documents are discovered.

4 Other Items:

a. The parties do not request a conference with the Court before entry of the scheduling order.

b. The parties request a Pre-Trial Conference during the month of July, 2009.

c. The Plaintiff should be allowed until January 16, 2008, to join additional parties and until January 16, 2008, to amend the Pleadings.

d. The Defendants should be allowed until February 16, 2008, to join additional parties and until February 16, 2008, to amend Pleadings.

e. All potentially dispositive Motions should be filed no later than April 9, 2009.

f. Settlement cannot be evaluated prior to April 9, 2009.

g. Final lists of witnesses and exhibits under Rule 26(a)(3) should be served and filed 45 days prior to Trial.

h. Parties should have 7 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a)(3).

i. This case should be ready for trial on August 10, 2009 and at this time is expected to take approximately 2 days depending upon rulings by this Court on the dispositive motions to be filed.

Submitted this 11th day of August, 2008.

ATTORNEY FOR PLAINTIFF
COLONY INSURANCE COMPANY

/s/ Blake L. Oliver

BLAKE L. OLIVER

Alabama Bar No.: OLI020

OF COUNSEL:
ADAMS, UMBACH,
DAVIDSON & WHITE, LLP
Post Office Box 2069
Opelika, AL 36803-2069
(334) 745-6466

ATTORNEY FOR DEFENDANT
FLOYD'S PROFESSIONAL TREE SERVICE

/s/Donald R. Harrison

DONALD R. HARRISON

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125 W. Columbus St.
Dadeville , AL 36853-1308
(256) 825-7393

ATTORNEY FOR DEFENDANT
JUNE C. BRAND

/s/ B. Derrick Blythe

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